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PATENT Dkt. STL9760

OCT 26 2005

Exercise (Constitution of the Constitution of

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Srinivas Tadepalli, Cory B. Welscher

SEAGATE TECHNOLOGY LLC

Application No.:

09/894,668

Group No.: 2652

Filed: June 27, 2001 Examiner: Craig Renner

For:

DOWNSTREAM FINNED STRIPPER SHROUD AIRSTREAM CONDITIONING

APPARATUS FOR A DISC DRIVE

Mail Stop AF **Commissioner for Patents** P.O. Box 1450 Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES (37 C.F.R. § 41.31)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed July 26, 2005, for a second time rejecting claims 1-4, 8, 9, 12-17 and 19-24.

1. STATUS OF APPLICANT

This application is on behalf of other than a small entity.

FEE FOR FILING NOTICE OF APPEAL 2.

Pursuant to 37 C.F.R. § 41.20(b)(1), the fee for filing the Appeal Brief is:

Other than a small entity

\$500.00

Notice of Appeal fee due

\$500.00

EXTENSION OF TERM 3.

The proceedings herein are for a patent application and the provisions of 37 C.F.R.1.136 apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

10/27/2005 NNGUYEN1 00000040 09894668

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500.00 OP

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee

TOTAL FEE DUE

\$500.00

\$500.00

5. FEE PAYMENT

Authorization is hereby made to charge the amount of \$500.00 to credit card as shown on the attached credit card information authorization form PTO-2038.

Charge any additional fees required by this paper or credit any overpayment to Deposit Account No. 06-0540. A duplicate of this transmittal is attached.

6. FEE DEFICIENCY

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 06-0540.

Date: 10/26/1m/s

Respectfully submitted

Mitchell K. McCarthy, Registration No. 38,794 Randall K. McCarthy, Registration No. 39,297

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